FILE #090-06034-0174-055

TABLE OF CONTENTS

REPORTS		PAGE
07/04/90	COMPLAINT REPORT - Firestone Station (Drake/Serrano) CLASSIFICATION: Burglary, 459 P.C./Assault with a Deadly Weapon, 245(a)(2) P.C./Assault with a Deadly Weapon on a Peace Officer, 245(d)(1) P.C./Possession of a Controlled Substance, 11350 H&S.	R- 1
07/04/90	MAJOR INCIDENT LOG - Firestone Station	R-12
07/04/90	SUPPLEMENTAL REPORT - Firestone Station (Ortiz/Ray) ACTIVE: Additional Information	R-14
07/04/90	SUPPLEMENTAL REPORT - Firestone Station (Duran/Ponce) ACTIVE: Additional Information	R-15
07/06/90	SUPPLEMENTAL REPORT - Firestone Station (Drake/Serrano) ACTIVE: Additional Information/Witness interviews.	R-18
07/16/90	SUPPLEMENTAL REPORT - Homicide Bureau (Danoff/Graves) ACTIVE: Investigation made/Evidence held and released/Suspect #2 Arrested/Released per 849(b)(1) P.C./Felony Complaint on Suspect #1 filed: Case #ABA021735/Arrest Warrant obtained.	R-21
07/23/90	SUPPLEMENTAL REPORT - Firestone Station (Duran) ACTIVE: Warrant arrest of Suspect Sanchez.	R-46

01/03/91 SUPPLEMENTAL REPORT - Homicide Bureau
(Danoff/Graves)
IN-ACTIVE: Investigation continuing/Suspect arrested
Case presented to the District Attorney's
S.I.D./Arraignment set and held/Letter of
Opinion received/Preliminary Hearing set
and held/Arraignment in Superior Court set
and held/Trial set and held/Sentencing
Hearing set and held/Case cleared. R-47
...R-50

TABLE OF CONTENTS: Continued   FILE #090-06034-0174-055

ATTACHMENT A: PAGE

--/--/--   MAP OF AREA SURROUNDING THE CRIME SCENE. ....AA- 1

--/--/--   CRIME SCENE DRAWING
(Staff Artist Shaffer)
6800 block of Hooper Avenue, Los Angeles ....AA- 2

--/--/--   LEGEND FOR THE CRIME SCENE DRAWING. ....AA- 3

ATTACHMENT B:

08/13/90   LETTER OF OPINION LADA #100-6787/SID #90-0290
(DDA Alan Yochelson)
Findings of the District Attorney's Investigation. ..AB-1
...AB-5

DISPOSITION OF EVIDENCE

07/05/90 SUPPLEMENTAL REPORT - Crime Scene Investigations (Lowery)
ACTIVE: Crime scene photographs. E1- 1

07/09/90 SUPPLEMENTAL REPORT - Crime Scene Investigations (Lowery)
ACTIVE: Aerial photographs of crime scene. E1- 3

07/05/90 CRIME LAB RECEIPT #H322296
Deputy [redacted] duty weapon, and the 6 live rounds from the magazine and chamber of the weapon. E2- 1

07/06/90 CRIME LAB RECEIPT #H322298
Evidence Held Items #1-10, casings; #11, #16, and #17, projectiles. E2- 2

07/10/90 SUPPLEMENTAL REPORT - Firearms Identification Section (Roberts)
ACTIVE: Examination of the items submitted under Crime Lab Receipt #H322296 and #H322298. .... E2- 3

07/06/90 RECEIPT FOR PROPERTY FORM
Release of Evidence Held Items #13 and #21. ..... E3- 1

07/10/90 PROPERTY CUSTODIAN FORM #458757
Storage of the Evidence Held Items #1-10, #11, #12 #16, and #17. .... E4- 1

07/10/90 PROPERTY CUSTODIAN FORM #458758
Storage of the Evidence Held Items #14, #15, #18, #19 and #20. .... E4- 2

SUSUPECT #1: GERMAN ALVARADO SANCHEZ

--/--/--	Subject Information Sheet.	S1- 1
--/--/--	California Driver's History: CDL #[redacted]	S1- 2
--/--/--	CII Rap Sheet: CII #[redacted]	S1- 3
--/--/--	LASD Automated Criminal History: MAIN #[redacted] ..	S1- 4
--/--/--	Automated Juvenile Index: JAIN #[redacted]	SI- 7
07/11/90	Admonition and Waiver of Rights Card (SH-AD 477) ..	S1- 9
07/13/90	Felony Complaint: Case #BA021735	S1-10
07/13/90	Arrest Warrant #LACBA02173501	S1-14
07/23/90	LASD Booking Slip: Bk. #2104967	S1-15

SUBJECT #2: TOMAS LUIS GOMEZ

--/--/--	Suspect Information Sheet	S2- 1
--/--/--	California Driver's History: CDL #[redacted]	S2- 2
07/04/90	LASD Booking Slip: Bk. #2075131	S2- 3
07/05/90	Admonition and Waiver of Rights Card English and Spanish	S2- 4
07/06/90	Teletype to Booking Office to drop charges.	S2- 5

VICTIM #1: [redacted]

--/--/--	Victim Information Sheet	V1- 1
--/--/--	California Driver's History: CDL #[redacted]	V1- 2
--/--/--	CII Rap Sheet: CII #[redacted]	V1-3
--/--/--	LASD Automated Criminal History: MAIN #[redacted] ...	V1-4

VICTIM #2: [redacted] Deputy Sheriff #[redacted]

--/--/--	Victim Information Sheet	V2- 1

Red Tip

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT SUPPLEMENTAL REPORT

DATE: July 16, 1990

FILE #090-06034-0174-055

C: ASSAULT WITH A DEADLY WEAPON (FIREARM) 245(A) P.C.
ASSAULT WITH A DEADLY WEAPON (FIREARM) ON A PEACE OFFICER 245(D)(1) P.C.
DISPLAY OF A FIREARM IN A THREATENING MANNER 417 P.C.
SHOTS FIRED BY A DEPUTY SHERIFF
PERSON INJURED

ACTION TAKEN: ACTIVE
Investigation Made
Evidence Held/Released
Suspect #2 arrested/ Released per 849(B)(1) P.C.
Felony Complaint on Suspect #1 filed: Case #BA021735
Arrest Warrant Obtained obtained

V#1: [redacted] MM/24

V#2: [redacted] MM/[redacted] Deputy Sheriff #[redacted]

S#1: SANCHEZ, GERMAN ALVARADO, MM/21
Aka: "Sleepy" Gang: "Barrio Majados"
Physical: 5'6", 150 pounds, black hair, brown eyes
Dobs: 10/6/68 Other: 9/6/66
Address: [redacted] [redacted]
Other Identifying Numbers:
CDL: [redacted] CII: [redacted] MAIN: [redacted]
SS #[redacted]
Charge: 245(D) P.C. 417.8 P.C. 417(B) P.C.
Arrest Warrant issued: BA021735
Detained: Not in custody - pending physical recovery

S#2: GOMEZ, TOMAS LUIS, MM/28
Physical: 5'6", 145 pounds, black hair, brown eyes
Dob: 12/21/61
Address: [redacted] [redacted] phone: [redacted]
Other Identifying Numbers: CDL: [redacted] SS #[redacted]
Charges: 245(D)(1) P.C.
Detained: Firestone Station Bk. #2075131
Released 849(B)(1) P.C.

EVIDENCE HELD ITEMS:

Item #1 - One (1) 9mm casing, marked "WCC."
Recovered from the northbound lane of traffic of Hooper Avenue, north and east of the right front wheel of the patrol car.
81' 7" north of the north curbline of 69th Street.
32' 3" east of the west curbline of Hooper Avenue.

Crime Lab Receipt #H322298

EVIDENCE HELD ITEMS: Continued

Item #2 - One (1) 9mm casing, marked "WCC."
Recovered from the northbound lane of traffic of Hooper Avenue, north and east of the right front wheel of the patrol car.
81' 2" north of the north curbline of 69th Street.
32' 3" east of the west curbline of Hooper Avenue.

Crime Lab Receipt #H322298

Item #3 - One (1) 9mm casing, marked "WCC."
Recovered from the northbound lane of traffic of Hooper Avenue, slightly under the front end of the patrol car.
74' 4" north of the north curbline of 69th Street.
26'10" east of the west curbline of Hooper Avenue.

Crime Lab Receipt #H322298

Item #4 - One (1) 9mm casing, marked "WCC."
Recovered from the northbound lane of traffic of Hopper Avenue, north of the left front tire of the patrol car.
75' 8" north of the north curbline of 69th Street.
26. 0" east of the west curbline of Hooper Avenue.

Crime Lab Receipt #H322298

Item #5 - One (1) 9mm casing, marked "WCC."
Recovered from the northbound lane of traffic of Hooper Avenue, north of the left front tire of the patrol car.
75' 4" north of the north curbline of 69th Street.
25'08" east of the west curbline of Hooper Avenue.

Crime Lab Receipt #H322298

Item #6 - One (1) 9mm casing, marked "WCC."
Recovered from the northbound lane of traffic of Hooper Avenue, just west of the median line, northwest of the left front tire of the patrol car.
75' 8" north of the north curbline of 69th Street.
22' 0" east of the west curbline of Hooper Avenue.

Crime Lab Receipt #H322298

SUPPLEMENTAL REPORT
07/16/90

FILE #090-06034-0174-055

EVIDENCE HELD ITEMS: Continued

Item #7 - One (1) 9mm casing, marked "WCC."
Recovered from the northbound lane of traffic of Hooper Avenue, on the east half of the median line, northwest of the left front tire of the patrol car.
74' 9" north of the north curbline of 69th Street.
23. 0" east of the west curbline of Hooper Avenue.

Crime Lab Receipt #H322298

Item #8 - One (1) 9mm casing, marked "WCC."
Recovered from the northbound lane of traffic of Hooper AVenue, west of the left front tire of the patrol car.
72' 8" north of the north curbline of 69th Street.
24' 0" east of the west curbline of Hooper Avenue.

Crime Lab Receipt #H322298

Item #9 - One (1) 9mm casing, marked "WCC."
Recovered from the northbound lane of traffic of Hooper Avenue, west of the left front tire of the patrol car.
72' 8" north of the north curbline of 69th Street.
25' 0" east of the west curbline of Hooper Avenue.

Crime Lab Receipt #H322298

Item #10 - One (1) 9mm casing, marked "WCC."
Recovered from the northbound lane of traffic of Hooper Avenue, south and slightly west of the left front tire of the patrol car.
70' 9" north of the north curbline of 69th Street.
26' 5" east of the west curbline of Hooper Avenue.

Crime Lab Receipt #H322298

Item #11 - One (1) 9mm copper jacket projectile.
Recovered from the middle of the intersection of 69th Street and Hooper Avenue.
6' 6" south of the north curbline of 69th Street.
14' 4" east of the west curbline of Hooper Avenue.

Crime Lab Receipt #H322298

R-23

EVIDENCE HELD ITEMS: Continued

Item #12 - One (1) Arminius .22 calibre eight shot revolver, Model #HW-3/Serial #[redacted] with:
Three (3) live .22 long rifle bullets marked "F."
Recovered from the sidewalk on the west side of Hooper Avenue, adjacent to the parkway, southwest of the first tree north of 69th Street.
51' 4" north of the north curbline of 69th Street.
38 1/2" west of the west curbline of Hooper Avenue.

Item #13 - Suspect Sanchez's clothing:
One (1) pair of black leather shoes.
One (1) pair of white sweat socks with red stripes, cut down the center, with blood stains.
Recovered from the sidewalk on the west side of Hooper Avenue, west and slightly north of the first tree north of 69th Street.
54' 0" north of the north curbline of 69th Street.
46" west of the west curbline of Hooper Avenue.

Released to Suspect Sanchez's [redacted] on 7/6/90.

Item #14 - Suspect Sanchez's clothing:
One (1) long sleeve purple with white print shirt, cut down the center with blood stains.
Recovered from the lawn on the east side of the Church located at 1259 E. 69th Street.
55' 3" north of the north curbline of 69th Street.
80" west of the west curbline of Hooper Avenue.

Item #15 - Suspect Sanchez's clothing:
One (1) pair of black trousers, cut down the center with blood stains.
One (1) black web belt with a white metal buckle with an "M."
Recovered from the lawn on the east side of the Church located at 1259 E. 69th Street.
64' 4" north of the north curbline of 69th Street.
122" west of the west curbline of Hooper Avenue.

Item #15A- One (1) small baggie, knotted on the top, containing a white powdery substance resembling cocaine.
Recovered from the left front pocket of the Evidence Held Item #15, trousers, by Investigator Danoff.

Released to Deputy Drake #[redacted], to be logged and entered into the Firestone Station Narcotics Evidence Locker.

SUPPLEMENTAL REPORT
07/16/90

FILE #090-06034-0174-055

EVIDENCE HELD ITEMS: Continued

Item #16 - One (1) copper jacket from a 9mm projectile.
Recovered from the lawn on the east side of the Church located at 1259 E. 69th Street.
48' 4" north of the north curbline of 69th Street.
225" west of the west curbline of Hooper Avenue.

Crime Lab Receipt #H322298

Item #17 - One (1) 9mm copper jacket projectile.
(Refer to Item #G)
Recovered from a hole in the east wall of the Church located at 1259 E. 69th Street.
51' 4" north of the north curbline of 69th Street.
6 1/4" above the ground.

Crime Lab Receipt #H322298

Item #18 - One (1) AA Gunshot Residue Kit #9554.
Sample obtained by Deputy A. Ortiz #[redacted] from Suspect Tomas Gomez, at Firestone Station, at 2105 hours, 7/4/90.

Item #19 - One (1) AA Gunshot Residue Kit #8468.
Sample obtained by Deputy Ponce #[redacted], from Suspect German Sanchez, in the Emergency Room at Martin Luther King-Drew Medical Center, at 2000 hours, 7/4/90.

Item #20 - One (1) SEM Gunshot Residue Kit #14971.
Sample obtained by Deputy Ponce #[redacted], from Suspect German Sanchez, in the Emergency Room at Martin Luther King-Drew Medical Center, at 2000 hours, 7/4/90.

Item #21 - Suspect Sanchez's wallet, containing miscellaneous papers and photographs
U.S. Currency: $26.00
1 - Ten dollar bill.
3 - Five dollar bills.
1 - One dollar bill.
Recovered from Suspect Sanchez's property at the Hospital.

Released to Suspect Sanchez's [redacted] on 7/6/90.

SUPPLEMENTAL REPORT
07/16/90

FILE #090-06034-0174-055

EVIDENCE ITEMS: Continued

The following Evidence Items #A to G were photographed only.

The following Evidence Items #A to #D were on the trunk of the first tree north of 69th Street, on the parkway adjacent to the west side of Hooper.

Item #A - Possible bullet hole.
4" above the ground.

Item #B - Possible bullet hole.
31" above the ground.

Item #C - Possilbe bullet hole.
38" above the ground.

Item #D - Possible bullet hole.
22" above the ground.

The following Evidence Items #E to #G are bullet impact marks, on the east wall of the Church bearing the address of 1259 E. 69th Street.

Item #E - One (1) bullet impact mark.
55' 3" north of the north curbline of 69th Street.
4 1/2" above the ground.

Item #F - One (1) bullet impact mark. (Lead smear)
51 4" north of the north curbline of 69th Street.
6 1/4" above the ground.

Item #G - One (1) bullet hole.
(Refer to the Evidence Held Item #17, Projectile.)
53' 3" north of the north curbline of 69th Street.
6 1/4" above the ground.

****

At 1910 hours, Wednesday, 7/4/90, Homicide Bureau Investigators LOUIE DANOFF #[redacted] and RICK GRAVES #[redacted] were detailed from their respective residences to [redacted] S. Hooper Avenue, Los Angeles, to investigate the circumstances that led to the shooting of Suspect GERMAN ALVARADO SANCHEZ by Victim [redacted] a uniformed, on-duty Deputy Sheriff, assigned to Firestone Station.

SUPPLEMENTAL REPORT
07/16/90

FILE #090-06034-0174-055

At 1955 hours, 7/4/90, Investigators arrived at the crime scene and contacted the handling Patrol Deputies, TOM DRAKE #[redacted] and MARIA SERRANO #[redacted], Firestone Station Patrol Unit 13A PM's, who related the events that occurred prior to the arrival of Investigators.

Deputy Drake summarized the events as follows. At 1854 hours, 7/4/90, Deputies [redacted] and STEVEN WINTER, Firestone Patrol Unit #[redacted] PM's, were enroute to [redacted] S. Hooper Avenue, as an assisting unit on a Man with a gun Call. They were the first unit to arrive at the location. Upon their arrival, the informant, Victim [redacted], directed the Deputies attention to two male hispanics who were walking south on the sidewalk on the west side of Hooper Avenue, by pointing in their direction, and yelling that they were the ones with the gun. Deputy [redacted] exited the driver's door of the patrol vehicle and yelled to the men on the sidewalk to stop. One of the suspects (Gomez) stopped. The other suspect (Sanchez) ignored the request and kept walking until he was abreast of a tree that was between him and Deputy [redacted]. The suspect pulled a gun and pointed it in the direction of the informant. He then pointed the gun in the direction of Deputy [redacted]. At this time, Deputy [redacted] fired ten shots from his handgun, striking and disabling the suspect.

Deputy Drake was unclear as to the actual events that occurred prior to the arrival Deputy [redacted]. He related that prior to the shooting, both suspects were at Victim [redacted] house ([redacted] and were engaged in a some kind of argument. Suspect Sanchez pulled a gun and threatened Victim [redacted] with the gun in an attempt to get Victim [redacted] to come out of a back room where he was calling the police via "911."

Deputy Drake said that he recovered Suspect Sanchez's gun (the Evidence Held Item #12, .22 calibre revolver) from the sidewalk adjacent to the parkway, just south of the tree that the suspect used for cover, and very close to where he saw the suspect lying. Deputy Drake photograhped the weapon, marked it's location and then picked it up. Deputy Drake gave this item to Investigator Danoff.

Deputy Drake said that Paramedics from the Los Angeles County Fire Department's Engine Company #164, under Captain HOKANSON, arrived at the location and began emergency trauma treatment on the suspect. The suspect was subsequently transported to Martin Luther King-Drew Medical Center, via Adams Ambulance, suffering from gunshot wounds to his right lateral chest, his right leg, and his left leg.

Deputies CARLOS PONCE #[redacted] and Y. DURAN #[redacted], Firestone Station Patrol Unit #14 PM's, followed Suspect Sanchez to the Martin Luther King-Drew Medical Center. At 2000 hours, 7/4/90, Deputy Ponce obtained gunshot residue samples from Suspect Sanchez's hands, using the Evidence Held Item # 19, AA Gunshot Residue Kit #8468; and the Evidence Held Item #20, SEM Gunshot Residue Kit #14971. Deputy Ponce gave these items to Investigator Danoff at about 0030 hours, 7/5/90, when he arrived at Firestone Station.

Deputy Drake said that Suspect Gomez was arrested at the scene, about 15 to 20' north of where Suspect Sanchez was lying, without incident. He was transported to Firestone Station, by Deputies ADAM ORTIZ #[redacted] And JON RAY #[redacted] Firestone Station Unit 13 PM's, where he was booked. At 2105 hours, 7/4/90, Deputy Ortiz obtained a gunshot residue sample from Suspect Gomez's hands, using the Evidence Held Item #18, AA Gunshot Residue Kit #9554. Deputy Ortiz transported this item back to the crime scene where he gave it to to Deputy Drake, who subsequently gave it to Investigator Danoff.

Investigators observed that the crime scene is located in a residential area, consisting of single story, family residences, single story duplexes, and small neighborhood businesses. The neighborhood is racially mixed, but appears to be predominently hispanic in make-up. The area is bordered by the following major cross streets: Gage Avenue to the north; Central Avenue to the west; Florence Avenue to the south; and Compton Avenue to the north.

Investigators observed that the crime scene is within the 6800 block of Hooper Avenue, and is bordered to the north by 68th Street, and to the south by 69th Street. Hooper Avenue is a north/south residential street with two traffic lanes, one for each direction. The street sustains a steady flow of moderate traffic. 68th and 69th Streets are both east/west streets that cross Hooper Avenue. 68th Street and Hooper Avenue is a four way light controlled intersection. 69th Street and Hooper Avenue is controlled by stop signs on the east and west sides of Hooper Avenue. Hooper Avenue is 45'6" wide.

Standing at 69th Street and looking north on Hooper Avenue, Investigators observed that there are two properties on the east side of the street. The first property, bearing the address of [redacted] is located on the [redacted] corner and [redacted] onto 69th Street. This property extends [redacted] along Hooper Avenue and occupies about [redacted] of the block. The second property [redacted] of the area to 68th Street. This property has [redacted] story family residences that face [redacted] onto Hooper Avenue, and bear the addresses of [redacted].

Investigators observed that the [redacted] side of Hooper Avenue, between 68th and 69th Streets has [redacted] properties. The [redacted] property, The Mount Chapel Church, 1259 E. 69th Street, is located on the northwest corner and faces onto 69th Street. This property extends northward along Hooper Avenue and occupies half of the block. The [redacted] property is a single story family residence bearing the address of [redacted] S. Hooper Avenue. The [redacted] property, the Star Market, 6801 S. Hooper Avenue, occupies the remainder of the area to 68th Street.

At the time of the crime scene investigation, the following vehicles were parked in the immediate area of the crime scene:

#1 1980 Oldmobile Cutlass, 2-door, blue, license: [redacted]
Parked in driveway for [redacted] S. Hooper Avenue, facing west.

#2 1973 Capri, 2-door, yellow, license: [redacted]
Parked on the west side of Hooper Avenue, facing south, between [redacted] and [redacted] S. Hooper Avenue.

#3 1982 Chevrolet Cavalier Station Wagon, 4-door, tan/brown license: [redacted]
Parked on the east side of Hooper Avenue, facing north, on the west side of [redacted]

#4 1987 Honda Prelude, 2-door, blue, license [redacted]
Parked on the east side of Hooper Avenue, facing north, on the west side of [redacted]

#5 1971 Buick Skylark, 2-door, black/green, license: [redacted]
Parked on the east side of Hooper Avenue, facing north, on the west side of [redacted]

#6 1978 Chevrolet Chevette 2-door, white, license: [redacted]
Parked on the east side of Hooper Avenue, facing north, in front of [redacted]

Investigators observed that a Sheriff's black and white patrol car, license: E476481, was parked in the middle of Hooper Avenue, facing north, in the north bound lane of traffic, directly across from the center of the west wall of the church (1259 E. 69th Street.) The left front bumper of the vehicle was 2'6" east of the yellow median line. The left rear of the vehicle was about 3' east of the yellow median line. NOTE: At the time of the crime scene investigation, all of the doors of the patrol car were closed. Deputy Drake advised that at the time of his arrival at the scene the driver's door was open.

Investigators observed the Evidence Held Items #1 and #2, 9mm casings, to be lying in the northbound traffic lane, about 7' north of and slightly to the east of the right front bumper of the patrol car.

The Evidence Held Items #3, #4, #5, #6, #7, #8 and #9, 9mm casings were laying the street, in a close pattern, to the north and northwest, of the left front bumper, fender and wheel of the patrol car. The Evidence Held Item #10, 9mm casing was laying in the street, to south and slightly west of the left front tire of the patrol car.

The Evidence Held Item #11, 9mm projectile, was laying in the middle of the intersection of Hooper Avenue and 69th Street.

Investigators were then directed to the west side of Hooper Avenue, along the east side of the Mount Chapel Church, where the suspects were standing at the time of the incident.

Investigators observed that the main building of the Mount Chapel Church is located on the northwest corner of Hooper Avenue and 69th Street, and faces south onto 69th Street. This building extends northward to a driveway that extends westward from the west side of Hooper Avenue. A small single story building, on the [redacted] side of the driveway, faces [redacted] onto Hooper Avenue, and occupies the [redacted] end of the property. (This building may have the address of [redacted]

At the north end of the east wall of the church, is a door that provides access to the rear of the main building. This door is accessed by a cement stairwell with six steps that leads from the south side of the driveway to a landing in front of the door. The south side of this landing extends southward to the approximate middle of the east wall of the building, forming a gradual sloping cement ramp. A 4' wide cement walkway extends westward across the lawn, from the west side of the sidewalk to the east wall of the building and the base of the cement ramp. The lawn on the east side of the building is 12'5" wide.

The sidewalk on the west side of Hooper Avenue is 4' wide. The parkway on the west side of Hooper Avenue (parallel to the east side of the church) is 3' wide. There are two trees on the parkway. The first tree, is 52'8" north of 69th Street. The second tree is 31'6" north of the first tree. NOTE: Suspect Sanchez was in the immediate area west of the first tree at the time of the shooting. Suspect Guzman was on the sidewalk, approximately 3' south and west of the second tree.

Investigators were directed to a small yellow crayon circle on the east side of the sidewalk, adjacent to the parkway and southwest of the first tree. This circle was where the Evidence Held Item #12, .22 calibre revolver, was recovered. Investigators later checked the cylinder of this weapon and found that it was an eight shot revolver loaded with three .22 calibre long rifle bullets. The position of the bullets in the cylinder of weapon was as follows: One live round, two empty, one live round, two empty, one live round, and one empty.

Investigators observed a large pool of blood on the sidewalk and lawn area, directly west of the first tree. This was where Suspect Sanchez fell after he was hit. The Evidence Held Item #13, shoes and socks, were on the east half of the sidewalk, slightly north and about a foot west of the first tree. The Evidence Held Item #14, shirt, was on the west half of the sidewalk, just south of the walkway that leads to the cement ramp. This item was removed from Suspect Sanchez by the paramedics.

The Evidence Held Item #15, trousers, were located on the lawn on the north side of the walkway that leads to the cement ramp. This item

had been removed from Suspect Sanchez by the paramedics. The Evidence Held Item #15A, narcotics, was recovered from the left front pocket of Suspect Sanchez's trousers.

The Evidence Held Item #16, 9mm copper projectile jacket, was observed on the lawn, about 2' east of the east wall of the church and 3' south of the south side of the walkway that leads to the ramp.

The Evidence Items #A-#D, possible bullet holes, were observed on the east side of the first tree in the parkway. The lowest mark was 4" above the ground, and the highest mark was 38" above the ground. NOTE: This tree was in the direct line of fire between Suspect Sanchez and Deputy [redacted] The tree was checked by Criminalist Roberts, but it could not be confirmed that the above mentioned holes were in fact caused by bullets.

The Evidence Items #E, #F, and #G bullet impact marks, were observed on the east wall of the church in the area between the north side of the first tree and the south side of the walkway that leads to the cement ramp. The three marks were about a foot apart, with Item #E being the northern most mark and Item #F being the southern most mark. Item #E was 4 1/2" above the ground, and Items #F and #G were 6 1/2" above the ground. The Evidence Held Item #17, projectile, was recovered from the hole that is marked as Item #G.

A check of the crime scene revealed that all of the rounds fired by Deputy [redacted] were in the area between the first tree north of 69th Street and the south side of the walkway leading to the ramp. The east wall of the church served as a backdrop for all of the shots.

Criminalist JAMES ROBERTS, Firearms Identification Section, arrived at the location and assisted in the collection of the ballistics evidence. Criminalist Roberts will also compare all of the ballistic evidence submitted in relation to this investigation. A supplemental report, prepared by Criminalist Roberts, detailing his activites and findings will be made a permanent part of this file. (Refer to the Dispostion of Evidence Section of the Shooting Book.)

At 2100 hours, 7/4/90, Deputy District Attorney ALAN YOCHELSON and Senior Investigator [redacted], assigned to the District Attorney's Special Investigations Division, arrived at the crime scene and were briefed by Homicide Bureau Lieutenant FRANK MERRIMAN #[redacted] regarding the events that occurred.

RENE SHAFFER, civilian staff artist, arrived at the crime scene and was directed by Investigators to make a scale drawing of the crime scene. A copy of a Map of the area surrounding the Crime Scene, the Crime Scene Drawing (prepared by Staff Artist Shaffer), and a Crime Scene Legend are provided to assist the reader in obtaining a better understanding of the crime scene. (Refer to Attachment A of the Shooting Book.)

Deputy OSCAR LOWERY #[redacted], Crime Scene Investigations, took photographs of the crime scene as directed by Investigators. He also took photographs of the witnesses who were waiting to be interviewed at Firestone Station, as well as Suspect Gomez. Deputy Lowery was requested to take daylight and aerial photographs of the crime scene. Supplemental Reports, prepared by Deputy Lowery, detailing his activities during this investigation will be made a permanent part of this file. (Refer to the Disposition of Evidence Section of the Shooting Book.)

At 2300 hours, 7/4/90, Investigators interviewed Deputy [redacted] #[redacted], in the Detective Bureau at Firestone Station. Deputy [redacted] has been employed as a Deputy Sheriff for the past 7 years. He has been working uniformed patrol for a total of 5 years, and during that time has been assigned to Field Operations, Region III, Firestone Station, where he is currently [redacted].

Deputy [redacted] stated that on 7/4/90, he was assigned to Firestone Station Patrol Unit [redacted] PM's ([redacted] hours) with Deputy Steven Winter, a [redacted] At about about 1850 hours, he and his partner were on Florence Avenue, approaching Hooper Avenue, when they were assigned to be the assisting unit on a Man with a Gun Call at [redacted] S. Hooper Avenue, via their police radio. There was no additional suspect information transmitted over the radio.

Deputy [redacted] was driving. He turned onto Hooper Avenue and headed north to the 6800 block. When they were approaching 69th Street, he observed a man wearing an aqua blue striped shirt (Victim [redacted]) standing in the northbound traffic lane of Hooper Avenue, facing south, weaving his hands over his head in a manner to attract their attention. As they crossed 69th Street, this person started to point in a southwesterly direction.

Deputy [redacted] related that at first he thought that the man was trying to direct his attention to a vehicle that they passed, but there were no vehicles travelling south on Hooper Avenue. Deputy [redacted] then observed two male hispanics walking south on the west side of the street toward 69th Street. These were the only people on the west side of the street.

Deputy [redacted] said that when he first saw Suspect Sanchez, Sanchez was about 10' south of the Suspect Gomez, and was standing on the grass on the east side of the church. Suspect Sanchez was dressed like a "cholo" (gang member); Suspect Gomez was not, but he ([redacted]) felt that they were togther. Based upon the nature of the call and the lack of any other identifying information, Deputy [redacted] felt that Suspect Sanchez was the most likely threat to him, and he concentrated his full attention on him.

Deputy [redacted] explained that when he first saw the two guys, he immediately stopped the patrol car in the middle of the street and

exited the vehicle via the driver's door with his gun in his right hand. He knows that his partner exited the patrol car on the passenger side, but he does not know where or what his partner did after exiting the car.

Deputy [redacted] stated that when he exited the patrol car, Suspect Gomez, was standing a few feet south of the 2nd tree in the parkway north of 69th Street. Suspect Guzman stopped, and then dropped to a prone position on the sidewalk when the shooting started. He remained in the immediate area of where he was first observed during the entire incident.

Deputy [redacted] said that when he first saw Suspect Sanchez, he was standing on the lawn, about 5' west of the sidewalk. The suspect looked in his direction and started to walk in a southwesterly direction toward the east wall of the church. Deputy [redacted] could not see the right side of the suspect. He yelled twice in English and then in Spanish for the suspect to stop and to show his hands. The suspect ignored these requests and kept walking toward the wall.

Deputy [redacted] said that Suspect Sanchez kept walking in a southwesterly direction until he came abreast of the 1st tree in the parkway north of 69th Street. The suspect then started to walk eastward toward the sidewalk, keeping the tree between them. As the suspect neared the sidewalk, he made a motion with both of his arms, like he was reaching for something in the back of his waistband. Deputy [redacted] could not see the suspect's hands due to the fact that the tree block his view. The suspect then stepped to his left, to the north side of the tree, into a crouched position. Deputy [redacted] saw that the suspect was holding a gun with both hands down by his left shin. The suspect then came up into a "combat" stance, pointing the gun in Deputy [redacted] direction with both hands.

Deputy [redacted] said that he was holding his duty weapon with his right hand and started to aim the weapon at Suspect Sanchez when the suspect continued to walk and did not comply with his request to show his hands. Deputy [redacted] explained that the moves of the suspect, from when he first stepped from the cover of the tree to when he aimed the gun, was like one fluid motion. Deputy [redacted] reacted to the actions of the suspect by firing 10 shots from his duty weapon. He fired the shots with his right hand while trying to key the hand mike for his radio that was affixed to the left shoulder strap of his uniform shirt.

Deputy [redacted] said that when Suspect Sanchez was hit he fell to the ground on the sidewalk/lawn west of the 1st tree. He approached the suspect from the north and saw the gun (Evidence Held Item #12) laying on the sidewalk near the 1st tree, about 5' east of where the Suspect was lying.

SUPPLEMENTAL REPORT
07/16/90

FILE #090-06034-0174-055

Investigators observed that Deputy [redacted] was carrying a Department issued 9mm Berreta 92F semi-automatic pistol, serial #BER[redacted], that was loaded with Department issued ammunition that he received in April, 1990, at the mobil range at Lynwood. One live round was in the chamber and five live rounds were in the magazine that was in weapon. Deputy [redacted] was directed to transport the above described pistol and bullets to the Firearms Identification Section for examination and test firing. He said that he would comply.

At 0005 hours, Thursday, 7/05/90, Investigators interviewed Deputy STEVE A. WINTER, #[redacted], in the Detective Bureau at Firestone Station. Deputy Winter has been employed as a Deputy Sheriff for one year. He was previously employed as a [redacted] for [redacted] years prior to transferring to the Sheriff's Department. He has been assigned to Field Operations, Region III, Firestone Station for 4 days, [redacted].

Deputy Winter explained that on 7/04/90, he was assigned to Firestone Station Patrol Unit [redacted] PM's, ([redacted] hours to [redacted] hours) with Deputy [redacted] as his partner. At about 1850 hours, they were eastbound on Florence Avenue, crossing Hooper Avenue, enroute to another call, when they were assigned to be the assisting unit on a Man with a Gun call at [redacted] Hooper Avenue. Deputy [redacted] was driving. They made a U-turn on Florence and then headed north on Hooper Avenue toward the location. As they approached 69th Street, Deputy Winter observed a male hispanic adult (Victim [redacted]) standing in the middle of Hooper Avenue, facing south, waving his arms over his head, attempting to flag them down. As they passed 69th Street, the man started to point in a southwesterly direction.

Deputy Winter looked in the direction that the man was pointing and saw two male hispanics walking south on the west sidewalk of Hooper Avenue toward 69th Street. Based upon the actions of the man in the street, Deputy Winter thought that two guys were possibly the 417 suspects, and expressed this thought to Deputy [redacted]. Deputy [redacted] immediately braked the patrol car, stopping in the middle of the street. When the patrol car came to a stop Deputy [redacted] exited on the drivers side and Deputy Winter followed by exiting on the passenger side. Deputy Winter then moved to a position at the right rear of the patrol car.

From the rear of the patrol car, Deputy Winter observed that Suspect Sanchez was wearing dark clothing, and that he was about 15-20' south of Suspect Gomez, who was just south of the 2nd tree on the parkway north of 69th Street. Suspect Gomez was wearing white trousers, and a blue and white stripped shirt. Though the two suspects were not walking together, Deputy Winter felt that they were together.

Deputy Winter said that by the time he got to the rear of the patrol car, Suspect Sanchez was on the sidewalk, near the 1st tree on the parkway north of 69th Street. The suspect was facing Deputy [redacted],

R-38

who was standing in front of the open driver's side door of the patrol car. Deputy Winter had his duty weapon out and was pointing it in the direction of Suspect Sanchez due to the fact that he could not see the suspect's hands. At this time, he saw Suspect Gomez walking across the front of the radio car to the right front fender. Deputy Winter pointed his duty weapon at Suspect Gomez and ordered him to show his hands. The suspect complied. Deputy Winter then ordered the suspect to return to the west side of the street, and covered the suspect while he complied.

Deputy Winter explained that his total concentration was now on Suspect Gomez. He moved to the right front fender of the patrol car in order to cover the suspect as he made his way back to the west side of the street. At this time he heard the sound of shots and saw Suspect Gomez get down into a prone position on the sidewalk, just south of 2nd tree north of 69th Street.

Deputy Winter said that at the time of shooting, the suspects were the only pedestrians on the west side of the street. He does not recall hearing his partner yell anything prior to hearing the shots being fired. He said that he felt that his partner had the first suspect (Sanchez) under control and that the second suspect (Gomez) was his responsibility, which took his total concentration.

At 0045 hours, 7/5/90, Investigators interviewed Victim [redacted], MM/24, of [redacted] phone: [redacted] in the Detective Bureau at Firestone Station. Mr. [redacted] is known as "[redacted]," and he is the informant on the Man with a Gun Call that resulted in the shooting. Deputy M. Serrano #[redacted], served as an interpreter during this interview.

Mr. [redacted] lives at his residence with his [redacted] FM/32, and his four young [redacted] aged from 9 years to 11 months old. Others living at the residence are his [redacted], MM/17; his [redacted], FM/18, and their small [redacted] and a [redacted] MM/18.

Mr. [redacted] said that a about 6-6:30/PM, 7/4/90, he was in the bedroom of his residence playing with his [redacted] FM/11 months, when he heard the sound of a commotion coming from the front porch. He left the room to investigate and saw Suspect Gomez, whom he knows as "Luis," and Suspect Sanchez, whom he did not know by name, but knew that he was a memeber of the "Barrio Majados" gang. The two suspects were drunk, and wanted to fight with Mr. [redacted] over a gold chain.

Mr. [redacted] explained that about one month ago, Suspect Gomez gave him [redacted] a gold chain belonging to his (Gomez's) [redacted] without her knowledge. Mr. [redacted] said that he pawned the chain, but did not get back to the pawn shop in time to reclaim it.

Since then, [redacted] has been very angry and has been pushing Suspect Gomez to confront Mr. [redacted] about the chain. He further related that at 2:00/PM, 7/4/90, he was walking on 69th Street and when he passed [redacted] house she yelled that he was a thief and that she was going to call the police because he did not return her gold chain.

Mr. [redacted] continued to state that upon hearing the commotion, he walked into the living room of his residence and observed Suspect Gomez and Suspect Sanchez at the front door, trying to enter the residence by pushing their way past Mr. [redacted] Suspect Gomez was mad because he felt that Mr. [redacted] had made fun of his [redacted] earlier in the day. Suspect Sanchez, the "cholo," pulled a small, black handgun from his right rear waistband with his right hand, and said to Mr. [redacted], "We've been looking for you." At this time, Mr. [redacted] who was standing at the rear of his living room, grabbed the telephone and called "911." The desk officers could not understand him so he gave the phone to his [redacted] who speaks English, and she provided the information to the Sheriff's Department.

Mr. [redacted] said that both Suspects gained entry to his residence, but they stopped when they were just over the threshold. He further related that though Suspect Sanchez had the gun out he never pointed it at him ([redacted]) or his [redacted]. Mr. [redacted] told the suspects that he called the police and that they were now enroute to the residence. Upon hearing this, Suspect Sanchez put the gun back into his right rear waistband, grabbed Suspect Gomez, who was still very agitated, and told him, "Let's go, the Police are coming." Both suspects left the residence and headed south on the sidewalk toward 69th Street.

Mr. [redacted] said that he watched the suspects leave, and waited until he saw a patrol car heading north on Hooper Avenue, passing 70th Street. At this time, he ran out of his house and yelled at the suspects, challenging them to fight. He explained that he did this to delay them so they could not get away. He then ran into the middle to the street and started to wave his arms above his head and to point in the direction of the suspects. While he was flagging the approaching patrol car, Suspect Sanchez took the gun from his rear waistband, and holding it with two hands, pointed it at Mr. [redacted]

Mr. [redacted] said that the patrol unit came to a skidding stop right in the middle of the street. The Deputy ([redacted] who was driving, got out of the car with his gun in his hand, and stood by the open driver's door. Mr. [redacted] did not say anything to the Deputies when they arrived, and he did not recall hearing them yell anything at the suspects. When the deputies initially arrived Suspect Sanchez was about 3' south of Suspect Gomez.

Mr. [redacted] said that at the time of the shooting, Suspect Sanchez was standing on the sidewalk near the 1st tree in the parkway north of 69th Street. Mr. [redacted] said that he saw Suspect Sanchez holding the gun in his right hand and then the suspect pointed the gun at the Deputy ([redacted]) who was standing in the open driver's door of the patrol vehicle. The deputy then shot Suspect Sanchez.

Mr. [redacted] said that when the shooting started, he moved from the front of the patrol car to the right front fender. The other deputy (Winter), who was on the passenger side of the patrol car, told him to get away from the car, so he ([redacted]) took cover behind a car on the east side of the street. He said that Suspect Gomez remained on the sidewalk on the west side of the street during the shooting, and that he (Gomez) never approached the patrol car.

At 0105 hours, 7/5/90, Deputy DANIEL NATHAN, #[redacted] Firestone Station Patrol Unit 13K EMs, contacted Investigators in the Detective Bureau at Firestone Station and gave Investigator Danoff the Evidence Held Item #21, wallet and money, belonging to Suspect Sanchez.

Deputy Nathan was assigned to relieve Deputies Ponce and Duran at Martin Luther King-Drew Medical Center, where he continued to guard the suspect, pending medical approval by the Hospital Staff to move the suspect. He reported that Suspect Sanchez sustained three gunshot wounds. The first wound was an entry wound to the suspect's right lateral chest. The second wound was a through-and-through wound to the suspect's upper left thigh. The third wound was a through-and-through wound to the suspect's right calf.

Deputy Nathan said that Suspect Sanchez went into surgery, performed by Dr. LAVERSON, Chief Resident Surgeon, at about 2010 hours, 7/4/90. The suspect came out of surgery at 0045 hours, 7/5/90, and his condition was listed as "critical but stable." The projectile in the suspect's chest was not removed at this time.

NOTE: Based upon the fact that Suspect Sanchez was not in medical condition to be transported to the Jail Wards at LAC-USC Medical Center for booking; that due to his medical condition he was not a threat to society nor was he an escape risk; it was decided not to arrest him at this time. Hospital Security was advised of the suspect's status and was requested to notify Firestone Station as soon as the Suspect was deemed to be medically fit to be transported.

At 0140 hours, 7/5/90, Investigators interviewed [redacted] MM/34, of [redacted] phone: [redacted] in the Detective Bureau at Firestone Station.

Mr. [redacted] said that at about 6:00/PM, 7/4/90, he was working with his [redacted] in the backyard of his parents residence at [redacted] when he heard the sound of an argument, in Spanish,

coming from the brown house across the street ([redacted] S. Hooper Avenue). At first he did not pay attention, but when the yelling got louder and louder, he walked over to the driveway, from where he could see the street.

Mr. [redacted] said that he saw two guys pushing and shoving each other on the west side of the Hooper Avenue, on the east side of the church, in the area of the 2nd tree in the parkway north of 69th Street. It appeared that the "cholo" looking guy (Suspect Sanchez) was trying to prevent the other guy (Suspect Gomez) from returning to the [redacted] house, while a male hispanic wearing a blue and white stripe shirt, shorts, and tennis shoes (Mr. [redacted], who exited the brown house, was yelling at them.

Mr. [redacted] said that just before the arrival of the deputies, Suspect Sanchez was about 3' south of Suspect Guzman. He saw Suspect Sanchez pull a small, black, ".38 calibre revolver" from the back of his waistband and point the gun with his right hand at Mr. [redacted] who was now running toward the middle of the street. Mr. [redacted] stopped in the street, faced south and yelled, "Latido." At this time, the patrol car screeched to a stop in the middle of the street, across from the 1st tree in parkway north of 69th Street, where Suspect Sanchez was now standing. Mr. [redacted] said that he heard Mr. [redacted] tell the Deputies that Suspect Sanchez was the one with the gun.

Mr. [redacted] said that both deputies exited the patrol car. One deputy (Winter) exited the passenger side and went the right rear of the patrol car. The other deputy ([redacted]) exited the drivers's side with his gun drawn, and was standing in the open doorway when the shooting started. He related that when the deputies arrived, it appeared to him that Suspect Sanchez was trying to hide the gun in the rear of his waistband. He did not recall hearing the deputies yell anything at the suspects prior to the shooting. He said that it appeared to him that Suspect Sanchez just "froze;" that he could not make up his mind as to what he was going to do; that he just could not let go of the gun. He then heard the sound of 6-7 shots being fired by the deputy on the driver's side of the vehicle.

Mr. [redacted] said that after the shooting, the deputies ordered Suspect Gomez to get down on the ground. Suspect Gomez had remained in the area of the 2nd tree in the parkway north of 69th Street during the entire shooting incident. Mr. [redacted] expressed the opinion that if the deputies did not arrive when they did, Suspect Sanchez would have shot Mr. [redacted]

At 0210 hours, 7/5/90, Investigators interviewed [redacted] in
MM/30, OF [redacted] phone: [redacted] is the
the Detective Bureau at Firestone Station. Mr. [redacted]
[redacted] of [redacted]

R38

Mr. [redacted] stated that at about 6:00/PM, 7/4/90, he was working in the back yard of his residence with his brother when he heard the sound of an argument, in Spanish, coming from the [redacted] house on the west side of Hooper Avenue ([redacted] S. Hooper Avenue.) As the argument grew louder, he moved to his driveway, from where he had a clear veiw of the street.

Mr. [redacted] said that he initially saw the two suspects on the west side of Hooper Avenue, in the area between the Church driveway and the 2nd tree in the parkway north of 69th Street. Suspect Sanchez was attempting to prevent Suspect Gomez from returning to the [redacted] house, and he heard Suspect Sanchez say, "Let's go. Let's get out of here"! Mr. [redacted] saw a man (Mr. [redacted]) run out of the brown house to the middle of the street, where he faced south and started to wave his hands over his head. About this time a patrol car came to a screeching stop in the middle of Hooper Avenue, just south of where Mr. [redacted] was standing, and he heard Mr. [redacted] yell, "He's got a gun! He's got a gun"! At the same time, Mr. [redacted] was pointing in the direction where Suspect Sanchez was standing. At the time of the arrival of the deputies, Suspect Sanchez was standing near the 1st tree in the parkway north of 69th Street.

Mr. [redacted] said that when the Deputies arrived, Suspect Sanchez was making a movement with his right arm, like he was reaching for something in his right rear waistband. The deputy ([redacted] who was driving the patrol car, exited the vehicle on the driver's side, and was standing in the open doorway when he fired 9-10 shots at Suspect Sanchez.

Mr. [redacted] said that the other deputy, (Winter) exited the passenger side of the patrol car and went to the area of the right front fender. This deputy did not fire his weapon.

Mr. [redacted] said that Suspect Gomez, who was initially standing by the 2nd tree in the parkway north of 69th Street, hit the ground as soon as the shooting started, and remained there until he was handcuffed by additional deputies who arrived at the location.

Mr. [redacted] advised that he did not see Suspect Sanchez point a gun a Mr. [redacted] prior to the arrival of the deputies. Further, he never saw a gun in Suspect Sanchez's hand. However, he feels that the suspect did have a gun when he was shot, and that he bases this opinion on the actions of the suspect when he made a move to retrieve something from his right rear waistband. It appeared to Mr. [redacted] that the suspect could not make up his mind as to whether he was going to drop the gun or shoot it out.

At 1600 hours, 7/5/90, Deputy [redacted] transported his duty weapon, a 9mm Beretta pistol, model 92F, serial #BER[redacted] and the six 9mm calibre bullets that were in the chamber and ammunition clip for the

weapon, to the Firearms Identification Section, where Criminalist Roberts issued Crime lab Receipt #H322296. Criminalist Roberts test fired the weapon and checked the live rounds. Criminalist Roberts then returned the weapon to Deputy [redacted] The supplemental report, prepared by Criminalist Roberts, will include the results of his examination of the above mentioned items.

At 1700 hours, 7/5/90, Investigators interviewed Suspect TOMAS GOMEZ, MM/28, Booking #2075131, in the Detective Bureau at Firestone Station. Deputy DANIEL R. TORRES #[redacted], Firestone Station Crime Prevention Unit, served as interpreter during this interview.

Deputy Torres advised Suspect Torres of his Constitutional Rights, in Spanish, as enumerated per SH-AD-514. The suspect indicated that he understood his rights, and that he wanted an attorney. A copy of the signed rights card will be made a permanent part of this file. (Refer to the Suspect #2 Section of the Murder Book.) Though Suspect Gomez did not waive his right, Investigators continued to interview him in order to get his version of the shooting of Suspect Sanchez.

Suspect Gomez is from Zacatecas, Mexico, and he has been living on 69th Street for the past 8 years, and for the last 6 months has been living with [redacted] He said that he has known Suspect Sanchez for past 5 years, but claims that he does not know the gang that Suspect Sanchez claims.

Suspect Gomez said that he knows Mr. [redacted] and referred to him by the nickname of "[redacted]" He alledged that Mr. [redacted] is a narcotics addict/dealer and a burglar. He related that about a month ago, he (Gomez) loaned Mr. [redacted] the use of his [redacted] gold chain, without her knowledge. Soon after loaning him the chain, Mr. [redacted] advised him that the chain had been stolen by some blacks. When [redacted] found out about this she became very mad and wanted to report Mr. [redacted] to the police for theft of her chain. Over the past month, [redacted] and Mr. [redacted] have crossed paths on several occasions, and she has been very vocal about having Mr. [redacted] arrested.

Suspect Gomez said that at about 2:00/PM, 7/4/90, he met Suspect Sanchez at the liquor store at 68th Street and Hooper Avenue. They bought some beer and went to Mr. Gomez's friends house where they remained for remainder of the afternoon. Suspect Gomez said that he had three beers; that he was not drunk; and that neither he nor Suspect Sanchez were using any drugs.

Suspect Gomez related that at about 6:00/PM, 7/4/90, he and Suspect Sanchez returned to the liquor store on 68th Street. After leaving the store they were walking past Mr. [redacted] residence when he decided to stop. He explained that [redacted] wanted Mr. [redacted] to either give her money for her chain that he lost, or she was going to call the cops. (Evidently, Suspect Gomez was receiving a lot of pressure from [redacted] about doing something about her chain.)

Suspect Gomez said that he walked up to Mr. [redacted] porch, with Suspect Sanchez, and asked for Mr. [redacted] He denied being drunk. He denied that a verbal altercation took place at the door or that they attempted to force their way into the residence. He also denied knowing that Suspect Sanchez had a gun prior to going to Mr. [redacted] residence, or that Suspect Sanchez displayed the gun at the residence.

Suspect Gomez related that at the time of the shooting he was near the 2nd tree in the parkway north of 69th Street, and Suspect Sanchez was near the 1st tree in the parkway north of 69th Street, when Mr. [redacted] ran out of his house and flagged down a patrol unit that was northbound on Hooper Avenue. The patrol unit skidded to a stop in the middle of the street. The patrol car then backed up and stopped again in the middle of the street, across from where Suspect Sanchez was standing.

Suspect Gomez said that when the patrol car stopped, both deputies got out. The driver stood by the left front fender of the car, with his gun in his hand. He could not recall where the other deputy was. The deputies did not say anything, and then the driver started to fire 8-10 shots at Suspect Sanchez.

Suspect Gomez said that when he first saw the deputies stop and exit the patrol car he stopped and looked in the direction of the deputy who was driving. When the shooting started, he immediately hit the ground, landing on the sidewalk, with his head to the west and his feet to the east. He remained on the ground until he was arrested by deputies who arrived at the location right after the shooting.

At 1300 hours, Friday, 7/6/90, Investigators went to the ICU Unit at the Martin Luther King-Drew Medical Center, to check on the condition of Suspect Sanchez. The suspect was listed as being in "stable" condition, but he could not be interviewed.

While checking on the suspect's condition, Investigators contacted [redacted] FM/20, of [redacted] phone: [redacted] who was visiting the suspect in the ICU Unit. [redacted] is the [redacted] of Suspect Sanchez, and they have one [redacted] MM/2.

Mrs. [redacted] related that she is currently separated from her [redacted] and she is not aware of his current activities. She said that the Suspect is a member of the "Bario Majados" gang, and that he is known as "Sleepy." The Suspect is employed at [redacted] where he has worked for the past four years, and he has been staying with an [redacted] in Lynwood ([redacted]) since their separation. She further related that the Suspect has not been in trouble with law enforcement since 1986, when he was a juvenile.

SUPPLEMENTAL REPORT
07/16/90

FILE #090-06034-0174-055

Investigators released the Evidence Held Items #13, shoes and socks, and #21, wallet and money, to Mrs. [redacted] A copy of the Release of Property Form will be made a permanent part of this file. (Refer to the Disposition of Evidence Section of the Shooting Book.)

At 1500 hours, 7/6/90, Investigators transported the Evidence Held Items #1 to #10, 9mm casings; Items #11, #16, and #17, 9mm projectiles, to the Firearms Identification Section, where Criminalist Roberts issued Crime Lab Receipt #H322298. The supplemental report, prepared by Criminalist Roberts, will include his examination and comparison of the above items.

At 1511 hours, 7/6/90, Invéstigators initiated a teletype to the Booking Office, dropping the charge of 245(D) P.C. on Suspect Gomez. A copy of the teletype will be made a permanent part of this file. (Refer to the Suspect #2 Section of the Shooting Book.)

During the course of this investigation, Investigators have made daily inquiries regarding the condition of the suspect, checking to see when he could be interviewed and when he could be transported. On 7/11/90, Investigators were advised that Suspect Sanchez could be interviewed.

At 1815 hours, Wednesday, 7/11/90, Investigators interveived Suspect GERMAN ALVARADO SANCHEZ, MM/21, in a recovery ward at Martin Luther King-Drew Medical Center.

Investigator Graves advised Suspect Sanchez of his Constitutional Rights as enumerated per SH-AD-477. Suspect Sanchez stated that he understood his rights; that he wanted to talk about the case, but he wanted an attorney. He refused to sign the Rights Card. In view of the deputy involved shooting aspect of this investigation, Investigators continued the interveiw in order to get his version of the events that occurred.

Suspect Sanchez said that he is a member of the "Chicos" clique of the "Bario Majados" gang, and that he is known as "Sleepy." He is currently separated from his [redacted] and he is now living with an [redacted] at [redacted]

Suspect Sanchez said that at about 1:00/PM, 7/4/90, his [redacted] gave him a ride to [redacted] the residence of a friend, where he was joined by Suspect Gomez, who is a friend of the Sanchez family. They spent a couple of hours at this location, drinking a couple of beers, and then he (Sanchez) got a ride back to his [redacted] house in [redacted] to get some DJ equipment, which was to be used at a birthday party that night. After his return to 69th Street with the DJ equipment, he accompanied Suspect Gomez to his [redacted] house on 69th Street.

Suspect Sanchez said that when they arrived at [redacted] house, she was very mad and was telling Suspect Gomez about a guy by the name of "[redacted]" (Victim [redacted] who talked "some shit to her" earlier in the afternoon. Suspect Gomez explained that "[redacted]" stole [redacted] gold chain, and it appeared that he was very upset over what [redacted] was telling him.

Suspect Sanchez said that Suspect Gomez wanted to find "[redacted]" and talk to him. He accompanied Suspect Gomez and they walked to a tire shop, located at 70th Street and Central Avenue, where Victim [redacted] worked. The victim was not at this location.

Suspect Sanchez said that he found the gun in the alley behind the tire shop, between 69th and 70th Streets. He described the gun to be a small, black, revolver. He said that he did not check the weapon, nor did he know if it loaded or not. He put the gun in his right front pocket.

Suspect Sanchez said that he then accompanied Suspect Gomez to Victim [redacted] house, located behind the liquor store on Hooper Avenue. When they got to the residence, the victim's [redacted] was standing on the front porch, and Suspect Gomez asked her to get "[redacted]" He said that they waited on the front porch, until the Victim [redacted] entered the front room of the residence. Suspect Gomez then asked him about the chain. Victim [redacted] responded, "I'm not giving you anything," and this started a loud argument. Suspect Sanchez denied that he pulled the gun out while on the porch, or that they (Sanchez and Gomez) entered the residence. He said that when Victim [redacted] advised them that he called the police, he (Sanchez) persuaded Suspect Gomez, who was very mad, to leave the residence.

Suspect Sanchez said that when they left Victim [redacted] house, they started to walk south on the sidwalk, toward 69th Street. They walked a short distance when Victim [redacted] came running out of his house and called for them to come back. This agitated Suspect Gomez, but Suspect Sanchez was able to keep him from going after Victim [redacted] Suddenly Suspect Sanchez saw Victim [redacted] run into the street and then saw a patrol car stop right in front of him, northbound, in the middle of Hooper Avenue. Victim [redacted] then started to point and direct the attention of the deputies to him (Sanchez.) Suspect Sanchez denied that he pointed the gun at Victim [redacted] when he first yelled at them, or when he ran into the street.

Suspect Sanchez explained that when the deputies arrived, he was about 3' north of the 1st tree in the parkway north of 69th Street. Suspect Sanchez was north of him, and they were both on the sidewalk. He said that when the deputy ([redacted]) who was driving the patrol car was getting out of the vehicle, he (Sanchez) removed the gun from his right front pocket and tossed it by the tree. He then stood with his hands away from his body, about waist high, with the palms parallel

to the ground. He said that he anticipated that the deputy was going to order him into a "prone search position," so he started get down on the sidewalk.

Suspect Sanchez said that the deputy ([redacted]) got out of the car with his gun in his hand and he started to shoot at him as soon as he got out. The deputy did not yell anything prior to shooting. He said that the first shot hit him in the right side of his chest, and knocked him down. He was hit two more times in the legs while he was lying on the ground. He denied that he pointed the gun at the deputy before the shooting.

At 1140 hours, Friday, 7/13/90, Investigators presented the facts of this case, as they apply to Suspect Sanchez, to Deputy District Attorney JAIME T. HERNANDEZ, at the District Attorney's Main Office in the Criminal Courts Building. Upon reviewing the facts of this case, Deputy District Attorney Hernandez filed Assault with Firearm upon a Peace Officer, 245(d)(1) P.C., with the use allegation; Exhibiting a Deadly Weapon to a Police Officer to Resist Arrest, 417.8 P.C.; and Exhibiting a Firearm in the Presence of an Officer 417(B) P.C., under Case #BA021735. A copy of the Felony Complaint will be made a permanent part of this file. (Refer to the Suspect #1 Section of the Shooting Book.)

At 1340 hours, 7/13/90, Judge GLENNETTE BLACKWELL, Division 30 of the Los Angeles District of the Los Angeles Municipal Court, issued Arrest Warrant #LACBA02173501, charging Suspect Sanchez with 245(D)(1), 417.8 and 417(B) P.C. Bail was set at $20,000.00. A copy of the warrant will be made a permanent part of this file. (Refer to the Suspect #1 Section of the Shooting Book.)

On 7/13/90, Investigator Graves contacted Security at Martin Luther King-Drew Medical Center, and advised them that a Warrant of Arrest had been issued for Suspect Sanchez. A check was made on Suspect Sanchez's condition, and it was found that he is listed as being in "stable" condition, and it is unknown at this time as to when the suspect will be well enough to be transported to the Jail Wards at the LAC-USC Medical Center. Hospital Security will notify Firestone Station when the Suspect can be transported.

At 1730 hours, 7/13/90, Investigator Graves contacted A/Watch Commander Carroll, Firestone Station, and advised that an Arrest Warrant for Suspect Sanchez was issued and is in the CWS System as well as the Wanted Persons System. It was requested that the suspect be arrested, transported, and booked at the Jail Wards at the LAC-USC Medical Center, pending a medical clearance.

On 7/16/90, Investigators checked on the condition of Suspect Sanchez and were advised that he was still not fit to be transported to the Jail Wards.

This investigation is continuing, more reports to follow.

LOUIS D. DANOFF, INVESTIGATOR #[redacted]
RICHARD M. GRAVES, INVESTIGATOR #[redacted]
APPROVED BY: FRANK MERRIMAN, LIEUTENANT #[redacted]
HOMICIDE BUREAU - DETECTIVE DIVISION



OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF LOS ANGELES
SPECIAL INVESTIGATIONS DIVISION
CRIMINAL COURTS BUILDING
210 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-3275

IRA REINER, DISTRICT ATTORNEY

(213) 974-3891

August 13, 1990

Captain Robert T. Grimm
Los Angeles County Sheriff's Department
Robbery-Homicide Bureau
211 West Temple Street
Los Angeles, California 90012

Dear Captain Grimm:

In re Our Case No. 100-6786/SID#90-0290
L.A.S.D. File No. 090-06034-0174-55

This office has concluded its investigation of the July 4, 1990 non-fatal shooting of German Sanchez by Deputy Sheriff [redacted] This investigation consisted of a response to the scene by Deputy District Attorney Alan Yochelson and Senior Investigator [redacted] interviews with various independent witnesses, and a review of all reports generated by Sheriff's Department Investigators. Based upon this investigation, this office concludes that Deputy [redacted] acted lawfully.

On July 4, 1990, Deputy [redacted] was assigned to the Firestone Sheriff's Department and working a shift from 2:00 p.m. until 10:00 p.m. His partner was Deputy Steven Winter. At about 6:50 p.m., Deputies [redacted] and Winter were driving on Florence Avenue approaching Hooper Avenue when they were asked to assist on a call at [redacted] S. Hooper Avenue. The call reported trouble involving a man with a gun.

Deputy [redacted] was driving. As he turned onto Hooper Avenue and headed north to the 6800 block, he observed a man later identified as victim [redacted] standing in the northbound traffic lane of Hooper Avenue waving his hands over his head in a manner to attract attention. [redacted] directed [redacted] attention to something in a southwesterly direction. Deputy [redacted] looked in that direction and observed two males walking south on the westside of Hooper Avenue approaching 69th Street. These were the only two people on that side of the street.

Deputy [redacted] stated that one of these persons was dressed in gang garb. This person was later identified as suspect German Sanchez. The second person was dressed normally. Because of the nature of the call and the fact that they had received no further information, Deputy [redacted] felt that Sanchez posed the most likely threat and he concentrated his full attention upon him.

Deputy [redacted] stopped his patrol vehicle in the middle of Hooper Avenue and exited his vehicle via the driver's door with his gun in his right hand. Deputy [redacted] observed Sanchez walking in a southwesterly direction. Deputy [redacted] could not see the right side of Sanchez, and he yelled twice in English and then once in Spanish for Sanchez to stop and show his hands. Sanchez ignored these requests and continued walking away.

Deputy [redacted] stated that Sanchez kept walking in a southwesterly direction until he came abreast of a tree in the parkway north of 69th Street. Sanchez then started to walk towards the sidewalk, keeping the tree between Deputy [redacted]nd himself. As Sanchez neared the sidewalk, he made a motion as though he was reaching for something in the back of his waistband. Because the tree blocked his view, Deputy [redacted] could not see Sanchez's hands. Sanchez then stepped to his left and assumed a crouched position. Deputy [redacted] observed that Sanchez was holding a gun with both hands. Sanchez then assumed a "combat" stance, pointing the gun at Deputy [redacted] with both hands.

Deputy [redacted] reacted to the actions of Sanchez by firing ten shots from his service weapon. Deputy [redacted] said that when Sanchez was hit, Sanchez fell to the ground west of the previously described tree. Deputy [redacted] approached and observed Sanchez's gun now lying on the sidewalk near that tree approximately five feet away from Sanchez.

Deputy Steve Winter stated that he was working July 4, 1990 with Deputy [redacted] Deputy Winter told investigators that as Deputy [redacted] and he drove north on Hooper Avenue towards 69th Street, he observed a male adult, later identified as [redacted] standing in the middle of Hooper Avenue, facing south and waving his arms over his head. As the deputies passed 69th Street, Montano pointed in a southwesterly direction.

Deputy Winter looked in the direction indicated by [redacted] and observed two males walking south on the westside walk of Hooper Avenue towards 69th Street. Because of the actions of [redacted] Deputy Winter thought that these two persons were possibly the subjects of the radio call. Deputy Winter expressed this thought to Deputy [redacted] Deputy [redacted] immediately stopped the patrol vehicle in the middle of the street. When the car came to a stop, Deputy [redacted] exited from the driver's side while Deputy Winter followed from the passenger side. Deputy Winter took up a position at the rear of the patrol vehicle from where he initially observed Sanchez. At this point the second individual on the sidewalk, later identified as Tomas Gomez, began walking across the front of the radio car. Deputy Winter pointed his duty weapon at suspect Gomez and ordered him to show his hands. Gomez complied, whereupon Deputy Winter ordered him to return to the sidewalk. At that point Deputy Winter heard the sound of gunshots, and observed Gomez assume a prone position on the sidewalk. Deputy Winter

stated that he did not see the events immediately preceeding the shooting because of his preoccupation with the actions of Gomez.

Two independent civilian witnesses observed the shooting. [redacted] was in the back yard of his [redacted] house at [redacted] This yard affords a view of Hooper Avenue. At approximately 6:15 p.m. [redacted] heard arguing from across the street at [redacted] S. Hooper Avenue. [redacted] observed one man pushing another away from that house. [redacted] also observed the victim, [redacted] run into the middle of the street, pointing at German Sanchez and saying "The man has a gun." German Sanchez then removed a handgun from his pants and pointed it at [redacted] who was still standing in the middle of Hooper Avenue. A moment later the sheriff's radio car stopped adjacent to German Sanchez. The driver of the vehicle, Deputy [redacted] exited and fired six or seven shots at Sanchez, who was holding the handgun in a downward position.

[redacted] of [redacted] told district attorney personnel that he and his [redacted] were in the back yard of their house working on a wall when they observed some arguing across the street on Hooper Avenue. [redacted] observed one man pushing another. A moment later [redacted] ran into the street at the same time as a sheriff's patrol vehicle was arriving, and [redacted] shouted, "He's got a gun, He's got a gun." [redacted] was also pointing at German Sanchez who was standing on the sidewalk by a tree. [redacted] said he could see that Sanchez was holding a gun at his side. He first saw the gun just prior to the shooting by Deputy [redacted] stated that Sanchez was holding the gun by his side when Deputy [redacted] exited the patrol vehicle and began firing.

In speaking with Sheriff's Investigators, [redacted] stated that he never saw a gun in Sanchez's hand. However he did see Sanchez moving to retrieve something from his right rear waistband, and was of the opinion that Sanchez was holding a gun at the time he was shot.

[redacted] said he was at his residence [redacted] between 6 and 6:30 p.m. Two men came to his house. He knew one of these men as Louis. He did not know the other man. The man that he did not know was the one who was shot. [redacted] stated that the two men walked to the front door of his house and told him that they were looking for him. Louis stated that he wanted to fight. The second man pulled out a handgun and displayed it while standing on [redacted] front porch. [redacted] ran to the bedroom, dialed 911, and reported to Firestone Sheriff's Station that there was a man with a gun at his front door. The two men heard that the police had been called and decided to leave. As the two walked away from [redacted] house, [redacted] said that he went outside and yelled for them to come back in the hope that he could stall the two individuals until police arrived. [redacted] observed deputies driving northbound on Hooper Avenue and he ran into the street. As he

AB-3

flagged the officers down, the deputies stopped adjacent to the man with the gun. Sanchez who had been pointing the gun at [redacted] turned his body to the right and was now pointing at the deputies. The deputies exited the patrol car and the driver shot Sanchez.

[redacted] related essentially the same facts as her husband, [redacted] She stated that two men came to her front door. One later identified as Sanchez had a handgun. When she asked the men what they wanted, they stated they wished to speak with her [redacted] and that they were going to kill him. At this point [redacted] left to call the police. The two men then left the house and walked south on Hooper Avenue. [redacted] went outside to stall the two individuals whereupon the sheriff's deputies arrived on the scene. When Sanchez pointed his gun at the deputies, the driver of the patrol vehicle shot Sanchez.

Suspect Tomas Gomez was interviewed by sheriff's investigators. In a statement made without a waiver of his constitutional rights, Gomez stated that on July 4, 1990 at approximately 6:00 p.m., he and German Sanchez walked past Mr. [redacted] residence and decided to stop. Gomez stated that he sought to recover from [redacted] a gold chain belonging to Gomez's [redacted] Gomez said that he walked up to [redacted] porch and asked for Mr. [redacted] He denied any verbal altercation at the door or that Sanchez displayed a gun at the residence. Gomez stated that he and Sanchez left the location, and walked south on Hooper Avenue. He observed a patrol vehicle northbound on Hooper Avenue, and saw [redacted] flag the vehicle down. Gomez said that as the patrol vehicle stopped two deputies got out. Without saying a word the driver fired eight to ten shots. He denies knowing that Sanchez had a gun at the scene and does not explain where the weapon found on the ground came from.

German Sanchez was also interviewed by sheriff's investigators without waiving his constitutional rights. Sanchez stated that on July 4, 1990 he accompanied Gomez to [redacted] house in order to recover a gold chain belonging to the [redacted] of Sanchez. When they got to that residence, Ms. [redacted] was standing on the front porch. A verbal altercation ensued between Gomez and [redacted] When [redacted] left to call the police, Sanchez pursuaded Gomez to leave the residence. Sanchez stated that Gomez and he walked a short distance on 69th Street when [redacted] ran out of the house and yelled out to them to come back. Although this agitated Gomez, Sanchez was able to restrain him. Suddenly a patrol vehicle drove northbound on Hooper Avenue. When the vehicle stopped, he removed a gun from his right front pants pocket and tossed it on the ground. Sanchez stated that he remained still with his hands away from his body and his palms parallel to the ground. Sanchez then stated that the deputy driving the vehicle got out of the car and began shooting as soon as he exited the vehicle. Sanchez denies pointing the gun at the deputy before the shooting.

A3-8

Sanchez was charged with violating Sections 245 (d) (1) of the Penal Code, to wit Assault with a Deadly Weapon on a Police Officer, 417.8 of the Penal Code, Exhibiting a Deadly Weapon to a Police Officer to Avoid Arrest, and 417(b) of the Penal Code, Exhibiting a firearm in the Presence of a Police Officer.

LEGAL ANALYSIS

California law permits the use of deadly force in one's self-defense or in the defense of another if it reasonably appears to the person claiming the right of self-defense or in the defense of another that he actually and reasonably believed that he was in imminent danger of great bodily injury or death. People v. Williams 75 Cal.App. 3d 731, 739 (1977).

Here, Deputy [redacted] stated that when he stopped his patrol vehicle on Hooper Avenue he was immediately confronted by an armed suspect who was pointing a handgun at him. Although the investigators did not deal with Deputy [redacted] specific motivations, the evidence circumstantially establishes that he fired out of fear for his safety. Witnesses [redacted] and [redacted] corroborate Deputy [redacted] inasmuch as they also witnessed Sanchez pointing the gun at Deputy [redacted] immediately prior to [redacted] opening fire. The independent civilian witnesses, [redacted] and [redacted] also corroborate Deputy [redacted] version of these events though to a lesser extent. Although they did not say that they observed Sanchez point the gun at Deputy [redacted] they nevertheless saw the weapon in Sanchez's hand. Although Sanchez and Gomez state that a gun was not pointed at Deputy [redacted] this flies in the face of the statements of other witnesses. Given this state of the evidence, it cannot be said that Deputy [redacted] acted unreasonably. Therefore this office concludes that Deputy [redacted] acted in self-defense, and considers this matter closed.

Very truly yours,

IRA REINER
District Attorney

CURT LIVESAY
Assistant District Attorney

By [signature]

ALAN S. YOCHELSON
Deputy District Attorney

mhm

c: Deputy [redacted]

AB-5